

**IN THE UNITED STATES COURT
FOR THE DISTRICT OF DELAWARE**

In re:)	Chapter 11
)	
W. R. GRACE & CO., <i>et al.</i> ,)	Case No. 01-01139 (JFK)
)	Jointly Administered
Debtors)	
)	Re: Docket No. 16260

**THIRD NEWLY AMENDED CASE MANAGEMENT ORDER FOR THE ESTIMATION
OF ASBESTOS PERSONAL INJURY LIABILITIES**

The following remaining dates contained in the Modified Second Newly Amended Case Management Order for the Estimation of Asbestos Personal Injury Liabilities (Docket No. 16260) (July 9, 2007) are further amended as follows:

- July 31, 2007 - Experts who will testify as to matters other than the number, amount, and value of present and future asbestos claims may file supplemental or rebuttal reports;
- Sept. 11, 2007 - Experts who will testify as to the number, amount, and value of present and future asbestos claims may file supplemental or rebuttal reports;
- Sept. 24, 2007 - Deadline for all parties seeking to call one or more non-expert witnesses to testify to make a good faith effort to compile a final list of such non-expert(s), and/or substitute one or more non-experts not previously designated;
- October 31, 2007 - Deadline for the completion of all non-expert written and deposition discovery, including discovery from claimants or other persons or entities who are not expert witnesses;
- November 15, 2007 - Deadline for the completion of all expert written and deposition discovery;
- November 30, 2007 - Deadline for filing all *Daubert* motions;
- December 14, 2007 - Deadline for filing oppositions to *Daubert* motions;
- December 21, 2007 - Deadline for filing reply briefs in support of *Daubert* motions;
- December 27, 2007, Deadline for the submission of pre-trial binders, which shall contain, *inter alia*, (i) trial briefs; (ii) a proposed pretrial order signed by counsel

for each party participating in the Asbestos PI Estimation Hearing; (iii) copies of all exhibits to be offered and all schedules and summaries to be used at the Asbestos PI Estimation Hearing pre-marked for identification; (iv) stipulations regarding the admissibility of exhibits; and (v) objections to exhibits. Debtors shall arrange delivery of a complete set to Judge Fitzgerald's home and a set to Pittsburgh chambers.

- January 14, 2008 - 9:00 a.m. - Argument on *Daubert* motions (limited to 90 minutes per side);
- January 14-16, 2008; January 22-23, 2008; March 3, 2008; March 5, 2008; March 24-26, 2008; March 31, 2008; April 1, 2008; April 7-9, 2008; April 14-16, 2008; each day commencing at 9:00 a.m. - Estimation Hearing Dates.

Expedited Motion Protocol

In the event a party needs to file a motion requiring the Court's immediate attention, the motions practice shall proceed according to the following schedule:

- Party files motion;
- Responses must be filed within 14 days of service of the motion;
- Replies must be filed within 7 days of service of the response;
- The Court will schedule a telephonic hearing at its earliest convenience after the response and replies to the motion are filed.

Other Hearing Dates

The following additional dates are currently reserved by the Court to address any matters not otherwise addressed in the above schedule: October 31, 2007; November 1-2, 2007. All such hearings shall be held in Pittsburgh, PA. Debtors will notify the Court as soon as reasonably possible but not later than 3 business days prior to any hearing date outlined herein, if the parties agree that a hearing date is not needed.

SO ORDERED

This ____ day of August, 2007

The Honorable Judith K. Fitzgerald